

**REMARKS**

The objections to the disclosure, the claims and, where appropriate, the drawings have been addressed with the foregoing amendments. 37 C.F.R. § 1.83(a) does not, however, require claimed features that are conventional and whose illustrations is not essential for proper understanding of the invention. Nothing could be more conventional than a motor vehicle, a motor and a processor, and schematically illustrating them would serve no real purpose for one of ordinary skill in this art. Reconsideration is respectfully requested, particularly in light of the foregoing amendments to Claims 17, 24 and 33 which should moot the drawing objection. With regard to numbers 14 and 14" in Fig. 2, [0061] of the Substitute Specification now clarifies the distinction between the components represented by these two numerals.

Likewise, the rejection of Claims 31 and 32 under 35 U.S.C. §112, paragraph 2 is deemed addressed by the foregoing amendment to Claim 31.

The indication of the allowability of Claims 19, 22, 23, 31 and 32 is noted with appreciation. In view of the fact that Claims 19, 22 and 31 have been rewritten in independent form so as to include all the features of the claims from which they respectively depended, Claims 19, 22, 31 and 32 should stand allowed.

The rejections of Claims 17, 18, 20, 21, 23-30 and 33 as being anticipated by Unger et al. under 35 U.S.C. § 102(b) is traversed, and reconsideration is respectfully requested.

If in light of the following- comments the Examiner still has any questions regarding patentability, the undersigned would appreciate the opportunity to expand on these comments in a personal interview with the Examiner at his earliest convenience.

Applicants themselves referred to the European patent counterpart of Unger et al. at paragraph [0005] of their Substitute Specification. There they noted that this reference does not disclose a method for detecting and securing against manipulation by way of temperature sensors. The Office Action refers, however, to Fig. 4 and column 4, lines 20-36 of the Unger et al. U.S. patent with regard to steps (S1) through (S4) of Claim 17. Specifically, it states that the Unger et al. patent observes temperature of the heat exchanger medium and determines the expected time gradients of that medium's temperature. In fact, however, the referenced column states only that a temperature sensor senses the temperature in the "immediate vicinity of the identification device 39 which is coupled to a radiator." In other words, the Unger et al. system uses a method in which the radiator inlet temperature, not the medium temperature, is used to observe the "characteristic jump." This jump is measured from the engine

compartment temperature. As such, it certainly cannot be said that the Unger et al. method determines expected and current time gradients of the heat exchanger medium for detecting the presence of the prescribed heat exchangers.

Applicants have provided a much improved and sophisticated "fail safe" way of detection by using time-dependent heat exchanger medium temperature gradients during specific states of the vehicle engine. No such approach is suggested in Unger et al. Accordingly, early and favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

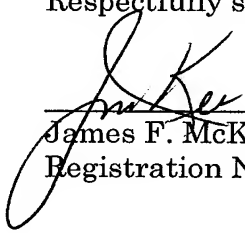
If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

Serial No. 10/594,078  
Amendment Dated: March 14, 2008  
Reply to Office Action Mailed: December 14, 2007  
Attorney Docket No. 095309.58177US

please charge any deficiency in fees or credit any overpayments to Deposit  
Account No. 05-1323 (Docket #095309.58177US).

Respectfully submitted,

March 14, 2008



---

James F. McKeown  
Registration No. 25,406

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JFM:slw

5066245\_1.DOC